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IWRM in the Cuvelai-Etoshia Basin

Training Module

on

**Integrated Water Resources Management and
Conflict Management**

for

**Basin Support Officers and Basin Management
Committee members**

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Developed by

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Learning objectives

At the end of this module it is expected that a Basin Support Officer (BSO), Basin Management Committee (BMC) members and other participants will be empowered to understand:

- The main elements of an integrated water resources management (IWRM) approach to achieve the sustainable management of water resources
- How the implementation of the concept of IWRM can lead to the development of conflicts and cooperation
- The use of techniques in conflict management to resolve conflicts arising from IWRM

Materials needed:

- Flip chart stand and paper
- Brown sheets
- Pens
- Cards
- Notebooks

Chapter 1: INTRODUCTION

Given the central importance of water resources to all human communities, it is natural that conflicts can arise with regard to access, allocation, development and management of the resource, but it can also be the basis for extensive cooperative activities concerning the management of water resources.

While an understanding of water resources, their dynamics and limitations on abstraction is considered to be essential to permitting the development of sustainable water management strategies, it is generally recognized that the problems of today and tomorrow are as much a consequence of poor governance as they are of absolute scarcity

It is generally acknowledged that water resources of all types are under increasing pressure from a number of actors, forces and factors. Given the diversity of needs and interests that surround water, disputes and conflicts over the resource are normal, but not all disputes lead to conflict and not all conflicts turn violent. Some fester perpetually beneath the surface and, as with limited access to potable water in many parts of urban areas, are part of settled social relations. However, a change in the setting – such as an unexpected drought or flood, or a change in government policy – can bring long suppressed grievances to the surface. What is to be done about such events and eventualities? The answer lies in conflict resolution.

Avoiding or minimizing the negative effects of physical and human-induced resource scarcity 'will require institutional innovations that allow focusing simultaneously on the goals and trade-offs in food security, poverty reduction, and environmental sustainability' (Molden, 2007: 62). Such a perspective has now crystallized in the concept Integrated Water Resources Management (IWRM), within which conflict resolution is regarded as an important tool.

Cooperation between different parties who had conflicting interests and managed to achieve the most beneficial management of water resources for all parties is therefore the result of conflict management and resolution.

Definition of terms

- **Integrated Water Resources Management** - Is a process which promotes the coordinated development and management of water, land and related resources, in order to maximize the resultant economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems. (GWP, 2000)
- **Conflict** - Conflict is present when parties with differing wishes each believe that the other will act or is acting against them, and engage in behaviour seeking to damage the other party. While conflict is often seen as negative, some types of conflict, in certain settings, can have a positive outcome. Interests can differ over:

- Access to and distribution of resources (e.g. Territory, money, energy sources, food);
 - Control of power and participation in political decision-making;
 - Identity (cultural, social and political communities); and
 - Status, particularly those embodied in systems of government, religion, or ideology' (Schmid, 1998).
-
- **Conflict Management** – This is a more pro-active role in preventing conflicts by fostering productive communication and collaboration among diverse interests, addressing the underlying causes of conflicts, developing mutual trust and understanding and using participatory, and joint collaborative planning for undertaking complex tasks.
 - **Conflict Resolution** – This is using techniques to resolve the inconsistency between the wishes and actions of the parties after the occurrence of a conflict. Negotiation is an important part of conflict resolution, and any design of a process which tries to incorporate positive conflict from the start needs to be cautious not to let it degenerate into the negative types of conflict.

Chapter 2: IWRM and Conflict in Namibia

2.1. What IWRM means

The basis for integrated water resources management is simply the fact that many different uses of water resources are interdependent. High irrigation demands and polluted drainage flows from agriculture mean less freshwater for drinking or industrial use; contaminated municipal and industrial wastewater pollutes rivers and threatens ecosystems; if water has to be left in a river to protect fisheries and ecosystems, less can be diverted to grow crops. This calls for systematic process for the sustainable development, as well as the allocation and monitoring water use in the context of social, economic and environmental objectives.

Integrated management also means that all the different uses of water resources are considered together. It advocates a cross-sectoral management approach which is the opposite of a sectoral approach where the responsibility for drinking water, water for irrigation, for industry and for the environment rest with different agencies. Such a lack of linkages leads to uncoordinated water resource development and management, resulting in conflict, waste and unsustainable systems.

2.2. IWRM is based on the four Dublin Principles

The Dublin Principles are reflected in the box below:

1. Fresh water is a finite and vulnerable resource, essential to sustain life, development and the environment.
2. Water development and management should be based on a participatory approach, involving users, planners and policy makers at all levels
3. Women play a central part in the provision, management and safeguarding of water.
4. Water is a public good and has a social and economic value in all its competing uses

From the Dublin Principles one can say that conflicts can easily arise when different actors with conflicting objectives must be reconciled for the common good and to achieve the most beneficial mutual benefits. Sustainable water utilization is based on the equitable and efficient water resources management as reflected in the concept of IWRM.

That means all the different uses of water resources are to be considered together, taking into account the wide range of people's water needs. Water allocations and management decisions should consider the effects of each use on the others, and take account of overall social, economic and environmental goals. That means IWRM recognises the following aspects:

Aspect 1: Linkages of landscape to hydrologic cycle

The hydrological cycle is continuously affected by the modification of the landscape due to land and water use activities. Understanding the linkages between the landscape and the hydrological cycle is important for improved water management. Effects of human activities

such as pollution of surface and groundwater, changing land uses can alter the flow regime/ water cycle.

Aspect 2: Water resources system functions

The water resources system performs a wide variety of functions that deliver goods and services for the society and sustenance of ecosystems. Some of the functions are:

- Environmental functions: recharging wetlands and groundwater, augmentation of dry season flow, assimilation of wastes, etc.
- Ecological functions: providing soil moisture for vegetation, providing habitat for fish, aquatic plants and wildlife, supporting biodiversity, etc.
- Socio-economic functions: supply of water for domestic use, agriculture, industry and power generation, providing conditions for navigation, recreation and tourism, etc.

IWRM takes into account not only the financial and economic costs and benefits of water management decisions, but also the social and environmental costs and benefits. Ignoring these functions in water management decisions can have large impacts on economies, the environment and livelihoods.

Aspect 3: Interdependence of land, water and ecosystems

Many land uses are dependent on water availability and influenced by water related hazards while land uses bring modification in the water regime. Availability and quality of water and aquatic ecosystem are affected by withdrawal of water from rivers, lakes and aquifers for a multitude of different purposes such as domestic, agriculture, industrial etc.

Aspect 4: Multiple water users, conflicting needs and increasing demand

With the growth of population and economic development, demand for water also grows creating stress on the finite resource - water. If adequate measures to improve water use efficiency and to conserve this scarce resource are not taken, attaining water security could be difficult. The competing water needs causes conflicts e.g., between domestic and agricultural uses, agriculture and industry, agriculture and fisheries, upstream and downstream, highland and lowland, rural and urban areas, etc. A major environmental concern is the conflict between the water uses by humans and the water needed by the river itself to transport sediment, to maintain its morphology, to satisfy ecological requirements. IWRM considers the full range of sectoral interests as well as water resources allocation decisions taking into account the relevant constraints and objectives of society.

Generally IWRM promotes:

- A shift from a sectoral to a more cross-sectoral approach to integrate ecological, economic and social goals to achieve multiple and cross-cutting benefits;
- The coordinated management of water, land and related resources;

- Integration of the technical, social and political aspects, including conflict resolutions in demand, use and perception be it in the economic, environmental or geopolitical sense;
- Integration across sectors, integration of use, integration of demand, integration with the environment as well as integration with the people;
- Stakeholder participation to encourage wider ownership and to empower stakeholders.
- Active involvement of all affected and interested groups in resolving conflict and promoting general sustainability to bring more resource efficient and socially responsible water management that benefits all sections of society will involve new institutional arrangements; and
- A systems approach that recognises the individual components as well as the linkages between them, and that a disturbance at one point in the system will be translated to other parts of the system.

In summary, water resource management need to look at the hydrological cycle in the basin, the interaction of surface water and groundwater and the interaction of water with other natural and socio-economic systems. It should take into account multiple water users, multiple purposes and conflicting needs, consider interdependence of land, water and ecosystems, and address the role of water within the context of social and economic development and environmental sustainability.

Chapter 3: The Balance between Conflict and Cooperation

3.1. Introduction

While particular practices may be leading to environmental degradation or award resources to only certain groups in a society, the beneficiaries of these policies and practices will be resistant to change. It is imperative, therefore, that we understand that IWRM in counselling change can create a climate for both conflict and cooperation.

3.2. Discussion of key conflict areas

Several of the key “tipping points” between conflict and cooperation are highlighted below.

- **Achieving Good Water Governance**

In 2004 the Global Water Partnership (GWP) identified thirteen key change areas within the overall water governance framework. These are an enabling environment (policies, legislative framework, financing and incentive structures), institutional roles (organizational framework, institutional capacity building), and management instruments (water resources assessment, planning for IWRM, demand management, social change instruments, conflict resolution, regulatory instruments, economic instruments, information management and ex-change).

Every one of these areas holds the potential to contribute to more equitable, efficient and sustainable water use and management. Since each one requires current practice to change, it also holds the potential to create conflict within and across user groups and societies. While change is key, how one enters this environment – the time, place and pace – are equally important.

- **Securing Water for People**

Access to safe and sufficient water and sanitation are basic human needs and are essential to health and well-being. Although most countries give first priority to satisfying basic human needs for water, approximately one fifth of the world’s population is without access to safe drinking water and half of the population is without access to adequate sanitation. These service deficiencies primarily affect the poorest segments of the population in developing countries. In these countries, meeting water supply and sanitation needs for urban and rural areas represents one of the most serious challenges in the years ahead. Halving the proportion of the population lacking water and sanitation services by 2015 is one of the Millennium Development Goals. Doing so will require a substantial re-orientation of investment priorities.

- **Securing Water for Food**

Population projections indicate that over the next 25 years food will be required for another 2-3 billion people. Water is increasingly seen as a key constraint on food production, equivalent to if not more crucial than land scarcity. Irrigated agriculture is already responsible for more than 70% of all water withdrawals (more than 90% of all consumptive use of water). Even with an estimated need for an additional 15-20% of irrigation water over the next 25 years - which is probably on the low side – serious conflicts are likely to arise between water for irrigated agriculture and water for other human and ecosystem uses.

- **Water for Ecosystems**

Land and water resources management must ensure that vital ecosystems are maintained and that adverse effects on other natural resources are considered and where possible reduced when development and management decisions are made. Terrestrial and aquatic ecosystems produce a range of economic benefits. The ecosystems depend on water flows, seasonality and water-table fluctuations and are threatened by, among other things, poor water quality. Does this mean that concerns for environmental protection stand above the needs of economic development? Where financial, human and technical resources are limited, managing both the environment and development, or approaching development from an environmentally sensitive way is not always possible. Trade-offs will be necessary, but how and who to decide?

- **Gender Disparities**

Formal water management is male dominated. Though their numbers are starting to grow, the representation and influence of women in water sector institutions is still very low. That is important because the way that water resources are managed affects women and men differently. Throughout the world, and particularly in rural areas, women are the custodians of family health and hygiene and providers of domestic water and food. Women therefore are the primary stakeholders in household water and sanitation. Yet, decisions on water supply and sanitation technologies, locations of water points and operation and maintenance systems are mostly made by men. How may this effectively be changed? What, exactly, does 'mainstreaming gender' mean?

- **Managing Risks**

Drought, flood, point-source and diffuse pollution, upstream actions with downstream impacts – these are all common events with often uncommon and unpredictable outcomes. Ensuring early warning systems and adequate structural responses to both natural and human-made calamities are key activities in conflict avoidance. Positive initial responses must be built upon and lead to appropriate mitigation and adaptation procedures – this is all the more important in the face of the anticipated negative effects on of global warming on local and global hydrological cycles.

- **Valuing Water**

Water is not merely an input into production processes, although it is too often treated this way. In addition to the economic value, water in all its uses has social, environmental and cultural values. At the same time, as the world becomes increasingly urban, and as the demand for food increases, the economic cost of systems of delivery – for whatever use in light of whatever value – prove the point at while rain falls freely, pipes cost money. How water is priced must also reflect issues of equity, and meeting the needs of the environment, the poor and the vulnerable. Studies show that consumers are willing to pay for water services – but those services must be affordable and above all, reliable. Taken in combination, these facts suggest the need for decisions about best practice and wise use made in culturally,

socially, economically and environmentally sensitive ways: surely a recipe for conflict!

- **Water for Industry and Cities**

Economic wealth, created in sufficient quantity to benefit entire societies, depends on secure supplies of bulk water. As basins approach closure, difficult decisions need to be made regarding best use. Should irrigated agriculture continue to have 70 per cent of all withdrawals when the sector contributes only 4 per cent to national Gross Domestic Product? While industry uses less water to more profitable effect, there are often ecological costs involved. As many states are eager to attract new industry, but lack the capacity to monitor their behaviour and sometimes fear that applying the polluter pays rule will drive them out to a neighbouring country, many governments are unwilling to adhere to their own laws regarding environmental and social health. As cities grow, the demand for water rises and governments may be faced with questions of building dams or transferring water from one basin to another. Rural people may lose out in these decisions. What are the ways forward and how to manage the conflicts that are sure to arise?

- **Water in a Trans-boundary setting**

All of the above points become that much more serious where sovereign states are involved. States often act unilaterally when it comes to the management of trans-boundary waters. This is especially the case when the upstream state is more politically and economically powerful than the downstream state. International law is notoriously weak, but there are numerous global agreements, statements, and conventions that are in place and also in the making to address the issues of the prevailing or expected conflicts. One such convention is the United Nations (UN) Convention on the law of the Non-Navigational uses of International Water Courses (1997). However, too often states act unilaterally – i.e. in the ‘national interest’ – when it comes to water resource planning, use and management. Most often states argue about the quantity of water and the type of infrastructure in place that affect the amount and timing of flows. However states also cooperate on the same issues – thus forming the basis for conflict avoidance and mutual gain. The adoption of an IWRM-oriented, basin-wise planning and management approach could further cooperative practice and benefit sharing across a number of shared interests:

- Equitable sharing of rivers during lean period;
- Sharing of data and expertise for flood forecasting;
- Watershed management;
- Hydro-power generation;
- Augmentation of flow of the lean period;
- Cooperation in flood management;
- Cooperation in navigation system;
- Seepage, sedimentation and other losses control;
- Cross-border pollution management; and
- Cooperation in river training works.

Indeed, the evidence shows that while there are many conflicts, there is much more cooperation on the use of surface waters of all kinds.

Chapter 4: Approaches to Conflict Management

4.1: Introduction

The case for IWRM is strong – many would say incontestable. The problem for most countries is the long history of sectoral development based on a narrow understanding of water as an input into economic development.

According to the UN World Water Development Report 2 (2006: 17), ‘Humanity has embarked on a huge global ecological engineering project, with little or no preconception, or indeed full present knowledge, of the consequences ... In the water sector, securing reliable and secure water supplies for health and food, the needs of industrial and energy production processes, and the development of rights markets for both land and water have hugely changed the natural order of many rivers worldwide’.

We are now coming to grips with the enormity of the problems we have created for ourselves through the unselfconscious manipulation of nature for particular ends. The need for change is undeniable. With change comes challenge and with challenge come threats as well as opportunities. There are threats to people’s power and position and threats to their sense of themselves as professionals. IWRM requires that platforms be developed to allow very different stakeholders, often with apparently irreconcilable differences to somehow work together.

IWRM provides a solid framework for thinking systematically about a future where water use is ecologically sustainable, socially equitable, and economically efficient. Namibia reformed its water use and management practices in line with IWRM principles. The primary challenge is to turn the inevitable conflicts that will arise into productive, win-win, mutually beneficial outcomes that will lead to long-term gains.

4.2: Managing Conflict

Conflict is part of a process for the reason that it may arise out of such an array of objective and subjective conditions that demand resolution on sustainable basis. Within the IWRM context these are:

- Interdependence of people and responsibilities;
- Jurisdictional ambiguities; functional overlap;
- Competition for scarce resources;
- Difference in organizational status and influence;
- Incompatible objectives and methods;
- Differences in consumption style;
- Distortions in communications; and
- Unmet expectations are some of the areas that generate conflicts.

Conflict management assumes a more pro-active role in preventing conflicts by fostering productive communication and collaboration among diverse interests. Along with its proactive focus, the conflict management approach also uses methods that involve negotiation, mediation, conciliation and consensus building. The conflict management

process in the planning stage of a project or programme of water resource development anticipating possible conflict in the use rights of stakeholders defined in terms of time frame, space and magnitude. Thus it is an ongoing process in which the stakeholders constantly work to create the conditions that discourage dysfunctional conflict and encourage conflict resolution processes that facilitate “win-win” outcomes.

In a more technical sense, conflict management refers to a broad array of tools used to anticipate, prevent and react to conflicts. A conflict management strategy will involve a combination of these types of tools. These tools are used to induce the parties to open up, identify the real issues behind the publicly pronounced positions and find out “win-win” solutions that leave both the parties better off with the outcome. However, it is not possible to come up with “win-win” outcomes all the time. In order to succeed trade off and compromise would be necessary. Even then, in some cases, if a party is convinced that the collaborative efforts will not yield anything better than what it can gain through unilateral action, it will not go for any collaborative action.

Generally, we associate the resolution of disputes or conflicts with legal outcomes: two aggrieved parties turn to the law in search of a ‘once and for all, who’s property is it?’ approach that too often leads to win-lose outcomes and a settlement that leaves one party frustrated, disappointed and perhaps in search of revenge. Since we all need water, these approaches are to be avoided. In place of formal legal approaches, there is what is called Alternative Dispute Resolution (ADR) mechanisms. These are based on principled negotiation – i.e. the desire to bargain in good faith toward mutually-beneficial, win-win outcomes for long-term gain.

An important issue in conflict management is the overall question of change at all levels of a society. Conflict is a doorway to change and holds the potential for change. On the face of it, conflict may be highly deceptive. When unfolded, some situations may bring about the anomalies and contradictions that are hampering the progress in some sectors of the society. That may trigger the setting up of a national agenda for broad societal and institutional reforms that may result in a more equitable and sustainable use of natural resources. It is, therefore, questionable whether all conflicts should be managed at their first appearance. Hasty patching up may lead to the suspicion that some vested quarters are trying to hide something from the public view in order to advance their own self-interest.

Connected with the above is the distinction between the symptoms and the underlying causes of a conflict. In complex cases, it is difficult to distinguish between the two and people are unwittingly led to believe that a certain conflict has been effectively resolved when in reality it is only the symptoms that have been taken care of without touching the deep-seated causes. For a long term solution of conflicts, it is necessary to identify the root causes and address them properly.

4.3: Methods of Conflict Resolution

While conflict may be difficult to resolve, it is by no means a destructive process. Conflict has a positive role to play if only we have the necessary skills to create the synergy for the well-being of all the contending parties. There is no particular tailored techniques, both formal and informal, to manage conflicts although the techniques are based on intuition,

logics and commutation skills. The following are the most commonly known methods of conflict resolution.

Litigation

Short of coercion and physical violence, the ultimate formal mechanism for conflict resolution is taking recourse to the legal system of the country. In a legal proceeding, the parties to a dispute are heard by a court of law that decides upon the case on the basis of existing laws in force in the country. In many instances, this is the only way to resolve a conflict but in many other cases, it may not be so. This is particularly true in the context of IWRM where:

- Many conflicts involve the use of common resource over which no party has a clearly superior legal claim;
- Legal rules prevent parties from bringing an action to court if they do not have some right that has been directly infringed;
- Legal rules may also prevent a party with a grievance from having access to the courts even to have its case heard; and
- Narrow procedural and legal issues get precedence over policy issues, thereby failing to resolve the real differences between the contending parties.

Alternative Dispute Resolution (ADR)

To overcome the limitations of litigation, alternative dispute resolution (ADR) techniques have been developed in the West in the past century and are frequently applied in many jurisdictions successfully. ADR techniques, with their emphasis on consensus seeking outcomes, resonate with many traditional societies. A quick review of those techniques is:

- **Negotiation**

Negotiation is a process where the parties to the dispute meet to reach a mutually acceptable solution. There is no facilitation or mediation by a third party: each party represents its own interest. Large disputes over public policy are increasingly being settled using processes based on mediation and negotiation, commonly referred to as negotiated rule making or regulatory negotiation. Representatives of interested parties are invited to participate in negotiations to agree on new rules governing issues such as industrial safety standards and environmental pollution from waste sites.

- **Facilitation**

Facilitation is a process in which an impartial individual participates in the design and conduct of problem-solving meetings to help the parties jointly diagnose, create and implement jointly owned solutions. This process is often used in situations involving multiple parties, issues and stakeholders, and where issues are unclear. Facilitators create the conditions where everybody is able to speak freely but they are not expected to volunteer their own ideas or participate actively in moving the parties towards agreement. Facilitation may be the first step in identifying a dispute resolution process.

- **Mediation**

Mediation is a process of settling conflict in which an outside party oversees the negotiation between the two disputing parties. The parties choose an acceptable mediator to guide

them in designing a process and reaching an agreement on mutually acceptable solutions. The mediator tries to create a safe environment for parties to share information, address underlying problems and vent emotions. It is more formal than facilitation and parties often share the costs of mediation. It is useful when the parties have reached an impasse.

- **Arbitration**

Arbitration is usually used as a less formal alternative to litigation. It is a process in which a neutral outside party or a panel meets with the parties in a dispute, hears presentations from each side and makes an award. Such a decision may be binding or not according to agreements reached between the parties prior to formal commencement of hearings. The parties choose the arbitrator through consensus and may set the rules that govern the process. Arbitration is often used in the business world and in cases where parties desire a quick solution to their problems.

Conflict Prevention

It is generally recognised among water experts that a stakeholder approach and consensus building through stakeholder participation is key to sustainable resource use and management. Conflict resolution techniques are generally employed once a dispute has already arisen. However, anticipating the forms of future conflict is an important element of conflict resolution itself. In the context of a river basin, where disputes arise from time to time, it is useful to give a home to these issues through the creation of a setting where stakeholders can regularly meet and communicate with each other regarding interests, needs and positions. While there are no uniform methodologies for undertaking the process, the important thing is to create an enabling environment whereby the stakeholders are able to actively participate in the policy dialogues and subsequent planning and design process. Among others, these may include the following steps:

- Defining the problem rather than proposing solutions;
- Focusing on interests;
- Identifying various alternatives;
- Separating the generation of alternatives from their evaluation;
- Agreeing on principles or criteria to evaluate alternatives;
- Documenting agreements to reduce the risk of later misunderstanding;
- Agreeing on the process by which agreements can be revised and the process by which other types of disagreements might be solved;
- Using the process to create agreement; and
- Creating a commitment to implementation by allowing the stakeholders specific roles in the execution of the agreed action/program.

4.4: Requirements for Successful Conflict Resolution

The techniques discussed above need to fulfil certain conditions for successful outcomes. Some of these are:

- **Willingness to Participate**

The participants must be free to decide when to participate and when to withdraw from a conflict resolution process should that be necessary. They should set the agenda and decide on the method to be followed in the process. It is, however, impossible even to agree to

discuss a problem if either of the parties holds deeply entrenched position or system of values.

- **Opportunity for Mutual Gain**

Linked to the above is the requirement of opportunity of mutual gain. The key to success of conflict resolution is the probability that the contending parties will be better off through cooperative action. If one or both believe that they can achieve a better outcome through unilateral action, they will not be willing to participate in the process.

- **Opportunity for Participation**

For successful conflict resolution, all interested parties must have the opportunity to participate in the process. Exclusion of an interested party is not only unfair but also risky for the reason that such party may obstruct the implementation of the outcome by legal or extra-legal means.

- **Identification of Interests**

It is important, in working towards consensus, to identify interests rather than positions. Conflicting parties often engage in positional bargaining without listening to the interests of the other parties and misses the real needs that must be satisfied for the benefit of all Parties. This creates confrontation and a barrier to consensus.

POSITIONS: What the Parties say they want

INTERESTS: What the Parties really want

NEEDS: What the Parties must have

- **Developing Options**

An important part of a conflict resolution process is the neutral development of possible solutions and options. An impartial third party can be a great asset to the process as it can put forward ideas and suggestions from a neutral perspective.

- **Carrying out an Agreement**

Not only must the issue be capable of resolution through the participatory process but the parties themselves must also be capable of entering into and carrying out an agreement.

4.5: Requirements for Successful Conflict Resolution

Successful conflict resolution depends on accurate analysis of conflict. The mediator/facilitator must consider, among other things:

- (i) The kind and type of conflict that it is;
Conflicts can manifest in different ways and at different geographical and socio-political levels. In general, there are four kinds of conflict:
 - Intra-personal (that which occurs within ourselves);
 - Inter-personal (that which occurs between two or more people);
 - Intra-group (that which occurs within one group); and
 - Inter-group (that which occurs between two or more groups).
- (ii) The different handling styles of conflict available both to parties to the conflict

- and to the mediator/facilitator; and
- (iii) The general pathways of conflict – that is, an understanding of how conflicts typically progress.

Tools available to the mediator/facilitator include the identification of interests and conflict mapping that allows the mediator/facilitator to peel away from the stated positions of the parties to the conflict to reveal the underlying interests and the core needs.

4.6: Negotiating for Conflict Resolution

Everyone wants to participate in decisions that affect them. Fewer and fewer people will accept decisions dictated by someone else. People differ, and they use negotiation to handle their differences. Whether in business, government, or the family, people reach most decisions through negotiation.

People see two ways to negotiate: soft or hard. The soft negotiator wants to avoid personal conflict and so makes concessions readily in order to reach agreement. He/she wants an amicable resolution; yet he often ends up exploited and feeling bitter. The hard negotiator sees any situation as a contest of wills in which the side that takes the more extreme positions and holds out longer fares better. He/she wants to win; yet he often ends up producing an equally hard response, which exhausts him and his resources and harms his relationship with the other side. Other standard negotiating strategies fall between hard and soft, but each involves an attempted trade-off between getting what you want and getting along with people. There is a third way to negotiate, neither hard nor soft, but rather both hard and soft. This is the method of principled negotiation and decides issues on their merits rather than through a haggling process focused on what each side says it will and won't do.

Principled negotiation can be used whether there is one issue or several; two parties or many; whether there is a prescribed ritual, as in collective bargaining, or an impromptu free-for-all, as in talking with hijackers. The method applies whether the other side is more experienced or less, a hard bargainer or a friendly one. Principled negotiation is an all-purpose strategy. Unlike almost all other strategies, if the other side learns this one, it does not become more difficult to use, it becomes easier. Any method of negotiation may be fairly judged by three criteria:

1. It should produce a wise agreement (if agreement is possible);
2. It should be efficient; and
3. It should improve or at least not damage the relationship between the parties.

A wise agreement is one that meets the legitimate interests of each side to the extent possible, resolves conflicting interests fairly, is durable, and takes community interests into account (Fisher et al, 1991). Principled negotiation or negotiation on the merits can be boiled down to four basic points. These four points define a straightforward method of negotiation that can be used under almost any circumstance. Each point deals with a basic element of negotiation, and suggests what you should do about it.

1. People: Separate the people from the problem.
2. Interests: Focus on interests, not positions.
3. Options: Generate a variety of possibilities before deciding what to do.
4. Criteria: Insist that the result be based on some objective standard.

The four propositions of principled negotiation are relevant from the time you begin to think about negotiating until the time either an agreement is reached or you decide to break off the effort. That period can be divided into three stages: analysis, planning, and discussion.

During the analysis stage you are simply trying to diagnose the situation- to gather information, organise it, and think about it. You will want to consider the people problems of partisan perceptions, hostile emotions, and unclear communication, as well as to identify your interests and those of the other side. You will want to note options already on the table and identify any criteria already suggested as a basis for agreement.

During the planning stage you deal with the same four elements a second time, both generating ideas and deciding what to do. How do you propose to handle the people problems? Of your interests, which are most important? And what are some realistic objectives? You will want to generate additional options and additional criteria for deciding among them.

Again during the discussion stage, when the parties communicate back and forth, looking toward agreement, the same four elements are the best subjects to discuss. Differences in perception, feelings of frustration and anger, and difficulties in communication can be acknowledged and addressed. Each side should come to understand the interests of the other. Both can then jointly generate options that are mutually advantageous and seek agreement on objective standards for resolving opposed interests.

To sum up, in contrast to positional bargaining, the principled negotiation method of focusing on basic interests, mutually satisfying options and fair standards typically results in a wise agreement. The method permits you to reach a gradual consensus on a joint decision efficiently without all the transactional costs of digging in to positions only to have to dig yourself out of them. And separating the people from the problem allows you to deal directly and empathetically with other negotiator as a human being, thus making possible an amicable agreement.

Exercise 1: Water Conflict, Resolution and Cooperation

Work in pairs: In your capacity as a BSO:

1. What are the three top water management issues in the sub-basin/ basin that you work in?
2. Identify the conflicts and how they are being addressed.
3. Select one conflict and explain what you would do to facilitate the resolution of any one of the conflicts

Each group should appoint a Rapporteur. Report back in plenary for discussion

Time: 30 minutes, followed by a 30 minute report back from the groups.

Having provided course members with numerous examples in the formal presentation, this exercise allows them to compare and contrast their own settings and to exchange ideas about the various ways and means for addressing common problems. This exercise will also quickly build rapport among participants as they will see that they are 'all in the same boat'

References

1. Global Water Partnership (GWP) Technical Advisory Committee (TAC). 2000. Integrated Water Resources Management. Background Paper No.4. 1-67pp.
2. Government Gazette of the Republic of Namibia, 2004. Water Resources Management Act, 2004 (Act No. 24 of 2004), 67 pp.
3. Heyns P, Montgomery S, Pallet J, Seely M, (eds), 1998). Namibia's Water, A Decision Makers' Guide, DRFN and DWA, Windhoek, Namibia, 173 pp.
4. MARWD, 2000. National Water Policy White Paper. Ministry of Agriculture, Water and Rural Development, 45 pp.
5. MAWF, 1998. Revised Water Supply and Sanitation Sector Policy, Ministry of Agriculture, Water and Forestry, 21 pp.
6. Training Manual: Conflict Resolution and Negotiation Skills for Integrated Water Resources Management. International Network for Capacity Building in Integrated Water Resources Management, July 2008.

Annexures

Annex 1: Presentation on IWRM and Conflict Management

See separate document for presentation.